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REMARKS

The Applicants submit this Amendment and respectfully request for the continued examination of the above-entitled application.

In the Final Action, claims 1-7, 9, and 18-20 were rejected under 35 U.S.C. § 102(b) as anticipated by the Boudah reference (U.S. Patent No. 6,838,980). Claims 1-7 and 9 were rejected under 35 U.S.C. § 103(a) as obvious in view the Boudah reference and the Burns reference (U.S. Patent No. 3,734,110). Claims 10-16 were rejected under 35 U.S.C. § 103(a) as obvious in view of the Boudah reference and the Burns reference and further in view of the Ingram reference (U.S. Patent No. 5,423,587). Claim 8 was rejected under 35 U.S.C. § 103(a) as obvious in view of the Boudah reference and the Burns reference and further in view of Eck reference (U.S. Patent No. 2,608,420) and the Aftanas reference (U.S. Patent No. 6,056,176). Claim 17 was rejected under 35 U.S.C. § 103(a) as obvious in view of the Boudah reference and the Ingram reference and further in view of the Eck reference and the Aftanas reference. With this Amendment, claims 1-20 have been cancelled with claims 21-40 being added. Thus, it is submitted that the rejections have been rendered moot.

In particular, new claim 21 is directed to a telescoping roof rack assembly ("rack assembly") for a vehicle having a truck bed. The rack assembly comprises a first pair of support rails, a second pair of support rails, one or more pairs of legs, and one or more pairs of pillar members. The second pair of support rails is telescopically coupled to the first pair of support rails. The first pair of support rails has the legs extending therefrom, which are attached to a vehicle roof. The second pair of support rails has the pillar members extending therefrom, which are slidably attached to sidewalls defining the truck bed. The pillar members are substantially longer than the legs. The rack assembly is moveable to a retracted position with the pillar members positioned adjacent to the legs.

New claim 28 is directed to a vehicle having a passenger cab, a roof, a truck bed, and a rack assembly. The roof extends over the passenger cab. In addition, the truck bed has a pair of sidewalls extending rearward from the passenger cab. The rack assembly includes legs and pillar members and is moveable to a retracted position with the pillar members directly adjacent to the passenger cab.

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New claim 36 recites a vehicle having a rack assembly with first and second pairs of support rails, which are moveable to a retracted position with the first pair of rails substantially receiving the length of the second pair of rails.

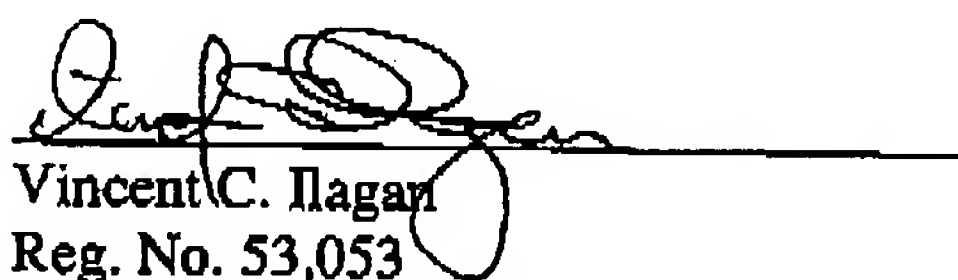
None of the cited art, whether taken individually or in any permissible combination, discloses the rack assembly with the legs attached to the roof, the pillars adjacent to the legs when the rack assembly is in the retracted position, and the pillars adjacent to the passenger cab when the rack assembly is in the retracted position. The cited art also does not disclose the claimed vehicle with the second pair of support rails moveable to a retracted position over the roof and an extended position over the truck bed.

Conclusion:

In view of the foregoing, it is submitted that all of the claims remaining in the case, namely claims 21-40, are in proper form and patentably distinguish from the prior art. Accordingly, allowance of the claims and passage of the application to issuance are respectfully solicited.

Respectfully submitted,

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